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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/998,507	12/26/1997	ALBERT BAUER	582/9-1477	2665
28147	7590	07/18/2007	EXAMINER	
WILLIAM J. SAPONE			FORD, JOHN K	
COLEMAN SUDOL SAPONE P.C.			ART UNIT	PAPER NUMBER
714 COLORADO AVENUE				3744
BRIDGE PORT, CT 06605				
			MAIL DATE	DELIVERY MODE
			07/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

The "Reply Brief" filed 03/20/2007 (responding to the examiner's letter of 03/12/2007) has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.



JOHN K. FORD
Primary Examiner

Noted

Docket No.: 582/9-1477

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Albert BAUER Conf. no. 2665
Serial No.: 08/998,507 Group Art Unit: 3743
Filed: December 26, 1997 Examiner: John Ford
For: AIR CONDITIONING APPARATUS

Commissioner for Patents
Washington, DC 20231

REPLY BRIEF

Sir:

This is a Reply Brief responsive to the Supplemental Examiners' Answer mailed on January 9, 2007. Pursuant to 37 CFR 41.50(a)(2)(ii), the appellant hereby maintains the present appeal in the above-referenced matter.

While the examiner failed to identify the Miscellaneous Statement submitted on January 9, 2007 as a Supplemental Examiner's Answer, as a written response to the Boards' remand, under 37 CFR 41.50(a)(2), it must be taken as such.

I. THE REMAND

The Board remanded to the examiner with two options, the Examiner choosing the second option, to identify structure from appellant's disclosure for performing the function of the "means for regulating. . ." recitation, and where it is found in the specification. Additionally, the Board required the examiner to re-explain Johannsen, referencing structure alleged to correspond to the structure the examiner identifies from appellant's disclosure.

In the remand, the Board stated: "Appellant has not pointed to any disclosure that room temperature is varied in correspondence to the selected room temperature, much